

PATENT
Docket No. 2026-4255

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Emerson, S.U. et al. Group Art Unit: 1643
Serial No. : 08/840,316 Examiner: Zeman, M.
Filed : April 11, 1997
For : RECOMBINANT PROTEINS OF A PAKISTANI STRAIN OF HEPATITIS E AND THEIR USE IN DIAGNOSTIC METHODS AND VACCINES

Assistant Commissioner for Patents
Washington, D.C. 20231

DECLARATION UNDER 37 C.F.R. §1.132

1. I, Lucy Curci-Gonzalez, am the Head Librarian at Morgan & Finnegan, L.L.P.
2. On February 26, 1997, I wrote to Dr. Pierre Coursaget, an editor of the book entitled "Enterically Transmitted Hepatitis Viruses" requesting that he provide me with the publication date of the book (Exhibit 1).
3. On March 3, 1997, Dr. Coursaget informed me that the actual publication date of the book entitled "Enterically Transmitted Hepatitis Viruses" was July 31, 1996 (Exhibit 2).
4. I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made

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are punishable by fine and imprisonment, or both, under Section 1001 to Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 3/12/99

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* NOT ADMITTED IN NEW YORK
+ ADMITTED IN WASHINGTON, D.C.
o ADMITTED IN CONNECTICUT

February 26, 1997

VIA FAX TO 011 331-41-36-71-88
Dr. Pierre Coursaget
Tours, FRANCE

RE: Publication Date

Dear Sir:

We are writing to you at the suggestion of Dr. Robert Purcell of the US National Institutes of Health to inquire whether you can provide us with actual publication date of this 1996 symposium:

Enterically-Transmitted Hepatitis Viruses. edited by Y. Buisson, P. Coursaget and M. Kane.
La Simarre, Joue-les-Tours (France), 1996.

We appreciate your prompt attention to this inquiry and request that you fax your answer to the undersigned at the number shown above.

Very truly yours,
lucy curci-gonzalez
Lucy Curci-Gonzalez
Head Librarian

cc: Richard W. Bork, Ph.D.

BEST AVAILABLE COPY

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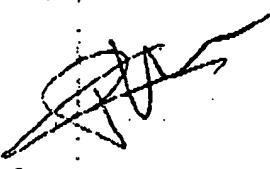
Tours, 03/03/1997

Ms Lucy Curci-Gonzalez
Morgan & Finnegan
345 Park Avenue
New York, NY 10154-0053

Dear Ms Curci-Gonzalez,

Following your fax February 26, 1997, I inform you that the publication date of the proceedings of the symposium "Enterically-Transmitted Hepatitis Viruses" was July 31th, 1996.

Sincerely yours



P. Coursaget